

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

May 31, 2006

DIVISION ONE

B185676 Mills (Not for Publication)

V.

Los Angeles County Sheriff's Department

The order of dismissal is affirmed. The parties are to bear their own costs.

Rothschild, J.

We concur: Mallano, Acting P.J.

Vogel (Miriam A.), J.

B186760 Los Angeles County, D.C.S. (Not for Publication)

V.

Alicia M.

The judgment is affirmed.

Rothschild, J.

We concur: Mallano, Acting P.J.

Vogel (Miriam A.), J.

B185159 People (Not for Publication)

V.

Carlos Cervantes

The judgment is affirmed.

Rothschild, J.

We concur: Spencer, P.J.

Mallano, J.

DIVISION ONE (Continued)

B182104 City of Santa Monica (Not for Publication)
B184549 v.
 Guillermo Gonzalez

B184127 Gonzalez v. SCLA (City of Santa Monica, rpi)

The orders are affirmed. The petition for writ of mandate/prohibition is denied. The stay of the proceedings in the trial court is vacated.

Spencer, P.J.

I concur: Vogel (Miriam A.), J.
I concur & dissent: Mallano, J.

DIVISION TWO

B186239 Pollock (Not for Publication)
 v.
 University of Southern California

The judgment is affirmed. Respondent shall recover its costs on appeal. In addition, Attorney E. Lyn Lemaire is directed to pay the clerk of the court the additional sum of \$6,000, as a sanction for prosecuting a frivolous appeal.

Boren, P.J.

We concur: Doi Todd, J.
 Chavez, J.

DIVISION TWO (Continued)

B182717 Inman (Not for Publication)

V.

Superior Nissan of Puente Hills, et al.

Summary judgment entered in favor of Superior and Plakinger is affirmed. They shall recover their costs on appeal.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B180742 Penrock, et al (Not for Publication)

V.

King

The order is affirmed.

Ashmann-Gerst, J.

We concur: Doi Todd, Acting P.J.
Chavez, J.

B187819 Los Angeles County, D.C.S. (Not for Publication)

V.

Lonetta B. et al.

The juvenile court's orders are affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

DIVISION THREE

B178155 Benson (Not for Publication)
v.
Benson

The judgment is reversed and the matter is remanded for further proceedings on the reserved issues. The parties shall bear their respective costs on appeal.

Klein, P.J.

We concur: Kitching, J.
 Aldrich, J.

B186188 People (Not for Publication)
v.
McNeal

The judgment (order revoking probation) is affirmed.

Klein, P.J.

We concur: Croskey, J.
 Kitching, J.

B178148 Pierson (Not for Publication)
v.
Los Angeles Department of Water and Power, City of Los Angeles

The summary judgment is affirmed. Costs on appeal to the City.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION THREE (Continued)

B180541 Brown (Not for Publication)
v.
Espinoza

The matter is reversed and remanded for further proceedings consistent with the views expressed herein. Each party shall bear their own costs on appeal.

Croskey, J.

We concur: Klein, P.J.
Kitching, J.

B184216 People (Not for Publication)
v.
Elias B. (Minor)

The juvenile court's minute order, probation condition 15, is modified to read: "Do not associate with anyone known to you to be disapproved by your parents or probation officer." In all other respects, the judgment is affirmed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

B184978 People (Not for Publication)
v.
Jarvis A. Stevens

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

DIVISION FOUR

B182047 SealMaster Industries, Inc. et al. (Not for Publication)
 v.
 Watson

The order of the trial court is affirmed. Respondents to have their costs on appeal.

Epstein, P.J.

We concur: Willhite, J.
 Hastings, J. (Assigned)

B183492 Vega (Not for Publication)
 v.
 County of Los Angeles et al.

The judgment is affirmed.

Hastings, J. (Assigned)

We concur: Epstein, P.J.
 Willhite, J.

B185968 Fossececa (Not for Publication)
 v.
 Health Net of California, Inc. et al.

The judgment is affirmed. Defendants shall recover their costs on appeal.

Willhite, J.

We concur: Epstein, P.J.
 Hastings, J. (Assigned)

DIVISION FOUR (Continued)

B179923 Markowitz (Not for Publication)

v.

Fidelity National Title Company

The judgment is affirmed.

Willhite, J.

We concur: Epstein, P.J.
 Hastings, J. (Assigned)

DIVISION SIX

B189200 State of California Dept. of Transportation (Not for Publication)

v.

Ventura County Superior Court
(Velasco, r.p.i.)

We grant the State's petition for writ of mandate. We direct the respondent superior court to vacate its order of January 26, 2006, and issue a new order denying Velasco leave to present this late tort claim and dismissing plaintiff's cause of action against the State. Costs are awarded to the State.

Gilbert, P.J.

We concur: Coffee, J.
 Perren, J.

B187343 People (Not for Publication)

v.

Winchester

The judgment is affirmed.

Gilbert, P.J.

We concur: Yegan, J.
 Coffee, J.

May 31, 2006 (Continued)

DIVISION SEVEN

B188196 People (Not for Publication)
v.
Sutton

The appeal is dismissed.

Zelon, J.

We concur: Johnson, Acting P.J.
Woods, J.

DIVISION EIGHT

Court convened at 9:00 a.m.

Present: Cooper, P.J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

Each of the following:

| | |
|---------|-----------------------|
| B180644 | People v. Flowers |
| B183841 | People v. Carter |
| B185474 | DCFS v. Anthony C. |
| B189620 | Guzman v. SCLA (DCFS) |

Argument waived, cause submitted.

B182215 People
v.
Rodriguez

Merits:

Merits:

Argued by Nancy Tetreault for appellant. Respondent's counsel waived oral argument. Cause submitted.

DIVISION EIGHT (Continued)

B187848 Kuist
 v.
 Bedrosian

Merits:
Argued by Hillel Chodos for appellant and by Don M. Anthony for
respondent. Cause submitted.

B185841 Burkle
 v.
 Burkle

Merits:
Argued by Michael Chodos for appellant and by Nabil Abu-Assal for
respondent. Cause submitted.

Court recessed.

Court reconvened at 11:00 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Armstrong, J. (Assigned) and Emma Jean
Amos, Deputy Clerk.

B169636 Consumer Advocacy Group, Inc.,
 v.
 Kintetsu Enterprises, Company Of America et al.,

Merits:
Argued by Reuben Yeroushalmi for appellant, by Edward G. Weil, Deputy
Attorney General for Amicus Curiae and by Anthony Graham, Patrick W.
Dennis and Jeffrey K. Riffer for respondents. Appearance only by Michael
G. Romey and Kurt Weissmuller. Cause submitted.

May 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B173449 Zamir et al.,
v.
State Farm General Insurance Company

Oral argument continued to June 30, 2006, at 9:00 a.m.

B184663 Klein et al.,
v.
North American Co. For Life & Health Insurance

Oral argument continued to September 27, 2006, at 9:00 a.m.

Court adjourned.

B177535 Jackson, (Not for Publication)
v.
Pik et al.

The judgment is affirmed. The respondents are to recover their costs on appeal.

Boland, J.

We concur: Cooper, P.J.
Rubin, J.

B180321 Cho, (Not for Publication)
v.
University Of Southern California,

For the reasons set forth above, the judgment is affirmed. Each party to bear its own costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.
Flier, J.

DIVISION EIGHT (Continued)

B175947 David Haberbush (Certified for Partial Publication)

v.

Charles and Dorothy Cummins Family Limited Partnership,

David Haberbush, as Assignee, etc.,

v.

Vantiger,

David Haberbush, as Assignee, etc.,

v.

Gemmel Pharmacy Group, Inc.,

The judgments are reversed, and the causes are remanded to the trial court with directions to vacate the judgments and conduct further proceedings consistent with the views expressed in this opinion. The appellants are to recover their costs on appeal.

Boland, J.

We concur: Rubin, Acting P.J.

Flier, J.

B180321 Cho, (Not for Publication)

v.

University Of Southern California,

For the reasons set forth above, the judgment is affirmed. Each party to bear its own costs on appeal.

Rubin, Acting P.J.

We concur: Boland, J.

Flier, J.

May 31, 2006 (Continued)

DIVISION EIGHT (Continued)

B182530 Los Angeles County, D.C.S. (Not for Publication)
 v.
 Joetta D.,

For the reasons set forth above, the order terminating the dependency
court's jurisdiction is affirmed.

Rubin, J.

We concur: Cooper, P.J.
 Flier, J.